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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--------------------------------|-------------|----------------------|---------------------|------------------|
| 10/074,571 | 02/12/2002 | Lior Ophir | TI-31243 | 6589 |
| 23494 | 7590 | 02/22/2007 | EXAMINER | |
| TEXAS INSTRUMENTS INCORPORATED | | | DUONG, DUC T | |
| P O BOX 655474, M/S 3999 | | | ART UNIT | PAPER NUMBER |
| DALLAS, TX 75265 | | | 2616 | |

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
|--|------------|---------------|
| 3 MONTHS | 02/22/2007 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/074,571 | OPHIR ET AL. | |
| | Examiner | Art Unit | |
| | Duc T. Duong | 2616 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 10 March 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-4 and 7-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 7,11 and 12 is/are allowed.
- 6) Claim(s) 1-4 and 8-10 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Response to Amendment

1. The indicated allowability of claim 6 is withdrawn in view of the rejections follow.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4 and 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Benveniste (US Publishing 2002/0163933 A1) in view of Gubbi et al (US Patent 6,754,176 B1).

Regarding to claims 1 and 10, Benveniste discloses a network manager 208 for managing data communications on a network 200 (fig. 2A page 8 paragraph 0118) comprising a controller 205 (fig 2A page 9 paragraph 0120 lines 4-7)) for controlling a first time period 216 for one or more first data transmissions on the network 200 (fig. 2B page 9 paragraph 0120 lines 15-16) wherein the first nodes 202 are permitted to transmit data during the first time periods 216 and the second nodes 204-206 are not permitted to transmit data during the first time period by causing the second nodes to treat the first time period as a single transmission period (fig. 2B page 9 paragraph 0120 lines 16-23; noted that since station 202 is the only station that's granted permission for transmission in the period 216 by the point coordinator 205, all other stations 204-206

must wait until the end of the period to transmit it data, and thus period 216 is used only for a single transmission.

Benveniste fails to teach for controlling the first data transmissions during the first time periods by the first nodes such that the first data transmissions overlap and sending non-informative data in the first data transmission during the overlap.

However, Gubbi discloses for a scheme for a sharing a channel during a free contention free period, wherein overlap transmissions are permitted by the PCF and communications sent between the nodes in the overlap region are via a beacon (fig. 3-4 col. 7 lines 56-67 and col. 8 lines 5-15; noted the beacon read on the non-informative data).

Thus, it would have been obvious to a person of ordinary skill in the art to employ such overlap transmissions as taught by Gubbi in Benveniste's system to provide an organized and coordinated mechanism for bandwidth sharing.

Regarding to claim 2, Benveniste discloses the single transmission period 216 appears to the second nodes 204-206 as a transmission of a single packet of data (fig. 2B page 9 paragraph 0120 lines 15-13-23; noted period 216 is used only to transmits a single frame 222 of station 202).

Regarding to claim 3, Benveniste discloses the single transmission period 216 appears to the second nodes 204-206 as single collision resolve process (fig. 2B page 9 paragraph 0123).

Regarding to claim 4, Benveniste disclose controlling an inter-frame gap 219 between the first data transmissions by the first nodes 202 during the first time period

216 such that the second nodes 204-206 treat the first time period as a single transmission period (fig. 2B page 9 paragraph 0121).

Regarding to claim 8, Benveniste discloses controlling a second time period 218 for one or more consecutive second data transmissions in the network 200 wherein the first nodes 202 and the second nodes 204-206 are permitted to transmit data during the second time period 218 (fig 2B page 9 paragraph 0121; noted that since the node 202 have a higher priority than node 204-206, node 202 can transmits in the period 218 along with nodes 204-206).

Regarding to claim 9, Benveniste discloses supporting contention based operation during the second time period (fig. 2B page 9 paragraph 0121).

Allowable Subject Matter

4. Claims 7, 11, and 12 are allowed.

Conclusion

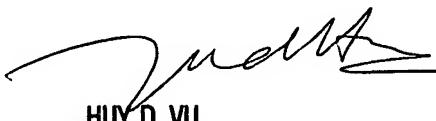
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duc T. Duong whose telephone number is 571-272-3122. The examiner can normally be reached on M-F (9:00 AM-6:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy D. Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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DD



HUY D. VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600